

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,)	CRIMINAL NO. 6:07-1454-HMH
)	
)	
)	
v.)	
)	
JIMMY PRUITT DAWKINS,)	<u>OPINION & ORDER</u>
)	
Movant.)	
)	

This matter is before the Court upon the Consent Motion of the parties for entry of judgment in Movant's pending 28 U.S.C. § 2255 motion, which would have the effect of vacating the judgment in Movant's underlying criminal case. The parties additionally request that the Court order an expedited resentencing in this matter. Movant waives his right to a resentencing hearing.

After careful review of the filings by the parties, the record of the case, as well as a review of a revised presentence report (PSR), the Consent Motion, docket number 64, is GRANTED as outlined below:

- (1) Movant's motion under 28 U.S.C. § 2255 to vacate his sentence, docket number 63, is GRANTED;
- (2) Judgment in 6:07-cr-1454 is VACATED;
- (3) Based on the revised PSR, the Court will impose a sentence of time served plus ten days' imprisonment;

(4) Further, Mr. Dawkins will not be placed on supervised release.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

We so move:

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By and with the consent of:

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